

REMARKS

Applicants respectfully traverse and request reconsideration.

Applicants thank the Examiner for the notice that claims 1-15 are allowed.

Claims 16-21 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kori et al. in view of Official Notice Taken (supporting reference provided US 4,593,384) and further in view of Shear et al. Applicants have amended claims 16 and 19. The amended claims indicate, for example, that digitizing the analog video signal causes the embedded access parameters to be lost. In addition for example, the claims also require that the digital video that is stored does not include any data access parameter. In contrast, Kori requires the storing of an updated access parameter. For example, instead of storing bits 10, it instead stores bits 11 to indicate a change in access parameter.

The Shear reference also fails to teach the claimed subject matter. The “Response to Arguments” section of the final action appears to have misapprehended the teaching of Shear. Shear also requires the use of digital video data that stores the embedded access parameter and this is why Shear requires the use of a secure container that includes such information. In fact, the Shear system does not work if the devices that convert the analog information to the digital actively delete the embedded information. This is stated in Shear in paragraph 0031:

The invention disclosed herein addressed these and other problems. For example in the context of analog to digital conversion (and vice versa), it is contemplated that, in accordance with the present invention, at least some of the information used to protect properties and/or describe rights management and/or control information in digital form can also be carried along with the analog signal. Devices that convert from one format and/or a medium to another can, for example incorporate some or all of the control and identifying information in the new context(s), or at least not actively delete such information during the conversion process.

As stated above by Shear, Shear requires that the devices do not actively delete the embedded information. In contrast, Applicants claim that the digitizing operation removes the embedded data access parameter. Therefore, Applicants respectfully submit that neither Kori nor Shear can teach the claimed subject matter. Accordingly, Applicants respectfully submit that the independent claims are in condition for allowance.

The dependent claims add additional novel and non-obvious subject matter.

New claim 23 has been added. Support may be found for example in at least FIGs. 1, 4 and associated description. As claimed, the method includes monitoring the analog video signal via a controller in a first processing path to obtain the embedded access parameter from the analog video signal. In a second processing path, a digitizer converts the same analog video signal to produce digital video data that does not include the embedded access parameter. The digital video data that does not include the embedded access parameter is stored in memory. A processor in response to the obtained embedded access parameter, processes the stored digital video data that does not include the embedded access parameter. Such a multipath approach is not taught or suggested by the cited portions of the references. Accordingly, Applicants respectfully submit that the claims are in condition for allowance.

Applicants respectfully submit that the claims are now in condition for allowance and that a timely Notice of Allowance be issued in this case. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (312) 609-7599.

Respectfully submitted,

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